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**MASTER OF MILITARY STUDIES**

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**MILITARY GOVERNORSHIP AS A SOLUTION TO THE INSURGENCY  
PROBLEM IN SOUTHERN PHILIPPINES**

SUBMITTED IN PARTIAL FULFILLMENT  
OF THE REQUIREMENTS FOR THE DEGREE OF  
MASTERS OF MILITARY STUDIES

LIEUTENANT COLONEL ANTONIO G MANGOROBAN JR PHILIPPINE NAVY (MARINES)

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## ***EXECUTIVE SUMMARY***

**Title:** Military Governorship as a Solution to the Insurgency Problem in Southern Philippines.

**Author:** Lieutenant Colonel Antonio G Mangoroban Jr Philippine Navy (Marines)

**Thesis:** The institution of Military Governor for a limited period of time offers a viable solution in ending the insurgency problem in Basilan and Sulu provinces in Southern Philippines as it will unify the civil and military efforts under one authority.

**Discussion:** For decades, the Philippine government has been grappling to find an enduring solution to the secessionist problem in Southern Mindanao. Government responses ranging from force-on-force to political negotiation or some combination thereof have largely failed to bring peace. While there appears to be a growing understanding that the solution requires a whole of government approach, previous efforts have failed largely due to the uncoordinated and sometimes conflicting efforts from all government stakeholders. The successful counterinsurgency pursued by the British and the United States in Malaya and the Philippines, respectively, all point out to the power possessed by a Military Governor in pursuing both the civil and military aspect of the insurgency problem. In applying the same system of Military Governors for a limited period of time in Southern Philippines, there is a chance of ending the conflict as it will unify the civil and military effort which is crucial to counterinsurgency. Additionally, this system will also force effective governance, which is important in alienating the people from the insurgents.

**Conclusions/Recommendations:** The proposition is a viable solution to the insurgency problem in both Basilan and Sulu provinces. It would provide effective governance as well as coherence to the otherwise disparate civil and military efforts to counterinsurgency. To preclude possible abuse of the power, oversight should be established at the national level as well as limitation on the time period of application.

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## ***PREFACE***

For decades now, the Philippines have been confronting the insurgency problem in Southern Philippines with no prospect of a solution. The problem has gained for the Philippines the notoriety of having the longest running insurgency in the Asia-Pacific region. Mixed solutions were already applied but they have failed to bring an enduring peace to the affected areas.

Caught in between the violence are the people, most of whom have probably not seen peace in their lifetime. It has been often said that insurgency thrives on areas where they are getting support from the people. The key to its successful resolution is how to delegitimize the cause of the insurgents who, in turn, need only to wait for the occurrence of government's pitfalls for them to gain that support.

Basilan and Sulu provinces are in the conflict affected areas in Southern Philippines where support by the people for the insurgents is seemingly thriving. This support was gained on default probably because of two reasons - coercion from the insurgents and the lack of effective governance from the duly constituted authority. This paper will argue for effective governance through the institution of military governors for a limited period of time as a solution to the insurgency problems in the South.

The proposition has crossed my mind after observing first hand the dismal conditions in these areas while serving as a Marine officer. In my more than ten years of cumulative assignments on these areas, I have observed how the lack of effective governance has alienated the people further from the government.

This study would not have been possible without the untiring effort of my mentor, Dr Eric Y Shibuya, PhD, who patiently reviewed and guided me towards the

completion of this thesis. I will forever be indebted and grateful for his guidance and encouragements.

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## INTRODUCTION

The Philippines has been continuously hounded by internal conflicts that have stunted any effort for national development. These internal conflicts are basically coming in one of two persuasions – the communist insurgency and the secessionist movement. The roots of both can be ultimately traced during the early days of the fledging Republic but it was not until late 1960s that both would gain national significance.

Of all these security problems, poverty by the people resulting from marginalization of economic resources has been consistently pointed out as one of the major causes.<sup>1</sup> Ironically, these security issues are now also major drivers of the economic problems plaguing the Philippines.<sup>2</sup> With internal conflicts now both a cause and consequence, a question arises on what can be done that will contribute to a more comprehensive approach in addressing these problems.

An answer to this question is of dire importance to the Philippines. First, enduring resolution to the armed conflicts is sine qua non to development. Secondly, resolving these conflicts has the potential for gaining what authors Ocampo and Judd termed peace dividends in the form of realizing the economic potentials of the conflict region.<sup>3</sup> Finally, and perhaps most importantly, an enduring solution will stop the violence that has already claimed thousand of lives.

The institution of Military Governor for a limited period of time offers a viable solution in ending the insurgency problem in Basilan and Sulu provinces in Southern Philippines as it will unify the civil and military efforts under one authority. At least in the Philippines, the system exemplifies synergy in bringing about developmental efforts that are traditionally in the sphere of the duly constituted civilian authority and the pacification effort

that are traditionally tasked to the military authority. The government may consider the use of military governorship to be most effective in Basilan and Sulu, both of which have not really seen enduring peace and development in its long history and where military presence has been a constant fixture to their physical landscape. In instituting the system of military governorship to the two areas for a limited period, the national authority will be able to force effective governance to bring about peace.

In arguing this proposition, this paper will focus on the various separatist movements that are prevalent in the Sulu and Basilan Provinces. The choice to focus on these two provinces is mainly because of their relative homogeneity being separate island provinces thereby affording an isolated approach to the already complicated issue of internal armed conflict. Additionally, both provinces are under the administrative control of the Autonomous Region of Muslim Mindanao (ARMM), a political subdivision created by the national Government as part of the agreed concession with the Moro National Liberation Front (MNLF).

Both provinces being under ARMM is important primarily because any recommendations that may be offered here will not have significant effect on the general political administration in the country. This autonomous status has traditionally allowed the national government to exercise a little more liberality in its administration. The most recent example of such was on 2011 when President Benigno Aquino decided to postpone the election and instead appointed an Officer-in-Charge to head the ARMM.<sup>4</sup>

The study will begin by describing the threats and responses accorded to them by the Government. It will then proceed with an evaluation of the system of military governorship that was instituted by the British as it successfully confronted the insurgency in Malaya after

World War 2. It will then draw comparisons on the similar experiences by the Philippines on the same system that was instituted by the United States (US) in the early 1890s. Having gained these insights, conclusions and recommendations will then be made as possible solutions to the issue of internal security to the two provinces.

## **ORIGINS OF THE MORO PROBLEMS**

The problem in Southern Mindanao can be traced as early as the colonization of the Philippines first by Spain in the early 1800s and later by US at the turn of the 20th century. On March 18, 1935, on the eve of the granting of independence by the US to the Philippines, the Muslims in Southern Mindanao sent to the US Governor General the Dansalan Declaration manifesting their desire to have a separate state.<sup>5</sup> The Declaration, among many other similar expressions, verbalized their resentment to the monopoly of governance by the Christian majorities in the central government of Manila. This desire fell on deaf ears as US President Franklin D. Roosevelt would eventually certify for the approval by Congress the draft Philippine Constitution practically on the same day that the declaration was dated.<sup>6</sup>

This disregard, along with many other grievances, would further fuel the growing resentments of the Muslims against the so-called Christian-dominated central government in Manila. Due to tribal divisions, it would took over three decades after the granting of independence before the Muslims in the South would transform these resentments into systematic opposition starting with the formation of the Mindanao Independence Movement (MIM) on 1968. MIM would eventually be supplanted with the organization of the Moro National Liberation Front (MNLF) on 1969. Internal factionalism within the ranks of the MNLF would, in turn, give rise to the Moro Islamic Liberation Front (MILF) in 1977 and the

Abu Sayaff Group (ASG) in the 1990s. These secessionist groups practically share the same grievances, differing only on the means on how to achieve them.

### **MORO NATIONAL LIBERATION FRONT**

The organization of the MNLF was partially triggered by the so-called Jabidah massacre<sup>7</sup> that rocked the administration of President Ferdinand Marcos on March, 1968.<sup>8</sup> Significant to the organization of the MNLF was the addition of international dimension to the erstwhile purely domestic affair. Realizing early on that their struggle would lead nowhere without international recognition, the MNLF lobbied for support from the Organization of Islamic Countries (OIC). This effort bore fruit with an expression of concern by the OIC on 1972 over the plight of their fellow Muslims in Southern Philippines.<sup>9</sup> The OIC, however, stopped short of endorsing the separatist aim, fearing a precedent for other similarly placed groups around the world. Instead, the OIC pushed for a political settlement between the MNLF and the government in what would become the Tripoli Agreement<sup>10</sup> signed on December 23, 1976.<sup>11</sup> Additionally, in 1977, the MNLF gained recognition as an observer to the OIC<sup>12</sup> a status the Philippine government has not yet received.<sup>13</sup>

### **MORO ISLAMIC LIBERATION FRONT**

The MILF was born out of an internal disagreement within the ranks of the MNLF over the acceptability of the Tripoli Agreement. This disagreement was ideological. The MILF viewed Islam as an ideology that influences their concept on state and governance in contrast to the MNLF who are more inclined to secularism.<sup>14</sup> The MILF would pursue a far more religious orientation than the simple pursuit of Moro nationalist objectives through a combined strategy of da' wa (Islamic teaching) and jihad (holy war).<sup>15</sup>

## **ABU SAYAFF GROUP**

Meanwhile, a totally different group had emerged both from the shadow of MNLF and MILF in the early 1990s. The group, calling themselves as the Abu Sayaff,<sup>16</sup> was founded by Ustadz Abdurajak Janjalani in Basilan and soon found ardent followers in the neighboring Sulu Province. The ASG is the smallest in number yet the most pervasive in the use of unwarranted violence. Through the years, though, it has degenerated from being self-proclaimed Islamic freedom fighters to a group of bandits engaged more in criminal activities (e.g. kidnapping-for-ransom) than pursuing its ideological aims.<sup>17</sup> With numerous attacks carried against US nationals, the US Department of State has classified the group as a foreign terrorist organization since October 8, 1997.<sup>18</sup>

These three groups, collectively known as the Southern Philippines Secessionist Groups, have waged varying degrees of violence in pursuing their relatively common objectives. The government, in turn, had offered individualized responses for each of the three groups. These individualized responses were partly shaped by the groups' varying methods in the use of violence and willingness to negotiate that prevented the government from pursuing a common policy stance against them.

## **GOVERNMENT'S RESPONSES TO THE CONFLICT**

The government has employed various policies to the Muslim rebellion. The United Nations Development Program, which assessed the Mindanao conflict, described these policy positions as follows: pacification, victory and institutional.<sup>19</sup> Pacification consists of negotiating the concessions necessary to achieve the cessation of hostilities and return to normalcy of the combatants. This was mainly the approach followed by Presidents Marcos

and Corazon Aquino. It consists of stopping the resulting violence without explicitly addressing the underlying cause of the conflict.

The objective in the “victory” response is to force the rebel to submit to the will of the government through the use of the military. The stance made by President Joseph Estrada during the “all out war” campaign against the MILF in early 2000 exemplifies this particular response. This response, however, is dangerous for it could not only “legitimize” the grievances for the rebels but can also drain national resources.

Finally, an institutional approach understands the underlying causes of the conflict and attempts to remedy them through the institution of mid and long-term programs. The downside of this approach is that it requires much time to witness its fruit and is thus not politically attractive. This approach has been the backbone that resulted in the signing of a peace settlement with the MNLF on September 2, 1996 during the administration of President Fidel Ramos and to the botched Memorandum of Agreement on Ancestral Domain<sup>20</sup> with the MILF during the incumbency of President Gloria Arroyo.

Arguably, the approaches or combinations thereof have not produced the desired effects, which are primarily enduring peace and poverty alleviation. Armed fighting is still ongoing. The MNLF, despite the peace agreement, has continued to exhibit its rebellious stance albeit under a different name and has reported to be supporting the cause of the ASG.<sup>21</sup> The ARMM, as an instrument of governance by the Muslim for the Muslim, has failed to deliver the promise of deliverance from poverty. In the 2009 official poverty incidence<sup>22</sup> statistics released by the Philippines’ National Statistical Coordination Board, Sulu maintained its classification from 2006 as among the poorest provinces of the country.

Basilan, on the other hand, would maintain its classification at three on a scale of one (poorest) to five for the similar period of time.<sup>23</sup>

Effective governance, particularly in Basilan and Sulu, is still wanting after several decades of war. President Benigno Aquino has described ARMM as a failed experiment, adding that it does not promote governance and perpetuates transactional politics instead.<sup>24</sup> This has been the case since the establishment of ARMM led and managed by so-called “elected” officials who would then run virtually unopposed under government backing and sponsorship with a reciprocal promise to return the favor. This was the case of Chairman Nur Misuari who enriched himself while in office to the detriment of his constituents. Investigation has revealed that during the administration of Misuari, ghost payrolls for teachers were prevalent that significantly affected the delivery of education to the youths of the region were prevalent. Legitimate teachers, on the other hand, were forced to seek jobs abroad because their salaries and benefits were being pocketed by the officialdom of ARMM during Misuari’s tenure.<sup>25</sup> The same conditions would mark the incumbency of Governor Zaldy Ampatuan, who was recently charged with the massacre of supporters of a political opponent. It is appalling to note media reports that Ampatuan was maintaining a room size vault of cash and a private army when his constituents are among the poorest in the country.<sup>26</sup>

Such were the general characteristics of the government’s political response to the conflict as embodied by ARMM. ARMM has failed to bring the kind of governance that would bring stability to the region. With this, dissatisfaction among the Muslims continues to grow thereby exacerbating further the seeds of rebellion. These rebellions can find similarities in history. From these similarities valuable lessons can be inferred in ways how to confront the current situation.

## **THE MALAYA COUNTERINSURGENCY EXPERIENCE**

The experiences of the British in successfully confronting the insurgency in Malaya from the period 1948 - 1954 offer some valuable lessons on how to address this similar problem in the Philippines. Malaya's insurgency during that period was communist inspired and membered predominantly by the Chinese.<sup>27</sup> While, admittedly, these conditions are different, the lessons learned by the British still offer some relevance, most particularly on the idea of unity of effort against a common objective.

The counter-insurgency campaign instituted by the British in Malaya traced its beginning to the so-called Briggs Plan named after Lieutenant General Sir Harold Rawdon Briggs who drafted it in his capacity as Director of Operations, Malaya. The Plan captured, in essence, the underlying problem of the insurgency, which is the competition for governance by the British (the State) and the Malayan Communist Party (the Insurgents).<sup>28</sup> In drafting the plan, Briggs postulated that the key to the solution was in breaking the link between the insurgents and the population who were supporting them. In why the population was supporting the insurgents, Briggs reported that it was because of the "lack of confidence in the ability of the forces of law and order to protect them against gangster Communist extortion and terrorism."<sup>29</sup> The plan would signal the departure from a relatively disparate effort into a more coherent one in combatting the insurgency.

In pursuit of the Plan, Briggs revised and greatly strengthened the committee system that was established in 1948. The system was established to provide a sense of coordination to the campaign; it aimed to harmonize the efforts of the police and the army under the explicit principle that the army would be supporting the police.<sup>30</sup> The 1948 system failed to halt the brewing insurgency for a number of reasons, foremost of which was that a simple

directive for “military units and police to keep in touch” at the local level is not enough to carry the day against the insurgents.<sup>31</sup> Additionally, even the establishment at the federal level of the position of a Commissioner of Police alongside the Chief Secretary would not halt the increasing insurgency.

To curb these and to give organizational effect to his plan, Briggs formally organized the Federal War Council<sup>32</sup> that was charged with the prosecution of the insurgency at the federal level.<sup>33</sup> This council was further replicated at lower levels with the creation of the State and District War Executive Councils. At first, the federal council looked more just like an amalgamation of all armed units in Malaya, which would appear inconsistent to the documented appreciation of the insurgency problem of Briggs himself. Indeed, this initiative of Briggs would appear as nothing but a mere formalization of the committee set-up in Malaya in 1948 – 1950. Briggs would later understand that this arrangement was not enough although he also feared the potential of giving the military too much power.<sup>34</sup>

The Plan immediately encountered organizational difficulties upon its execution to the frustration of Briggs himself.<sup>35</sup> He quickly realized that despite his reorganization, coordination and cohesion was still lacking among the various stakeholders to the effort. Coates describes the War Executive Committee system as only working effectively “where abundant goodwill existed among its members...elsewhere it was frequently unresponsive and downright farcical.”<sup>36</sup>

It seems paradoxical that while Briggs perfectly understood the problem and attempted to remedy it thru the War Executive Committee system, he created another structure that competed for government, both in resources and policy, to the detriment of the counterinsurgency effort during his time. Given the situation and the limited powers that he

had, he did not have any other choice. At any rate, Briggs' assessment of the situation pointed out the subtle fact that it was not enough for the armed units of the state, e.g. police and military, to coordinate or even operate jointly in order to defeat the insurgency.

This experience would serve him and his successors well as he built his case to London for "the adoption of the gravest steps" in order to confront the insurgency.<sup>37</sup> Drawing from his own experiences, Briggs had advocated for the delegation of executive powers to the Director of Operations in order to provide a higher degree of centralized control over the counterinsurgency effort.<sup>38</sup> This recommendation would be re-echoed by Oliver Lyttelton, the British Secretary of State for the Colonies, who saw for himself the "divided and often opposed control at the top" counterinsurgency effort in Malaya<sup>39</sup>

This recommendation would soon be approved with the appointment General Sir Gerald Templer as High Commissioner of Malaya.<sup>40</sup> The arrangement would correct the handicap experienced by Briggs in pursuing his counterinsurgency plan. The results were impressive, reducing the number of insurgents by 75% within the first two years of Templer's administration. His administration would also later be defined as a decisive turn in the counterinsurgency in Malaya.<sup>41</sup>

The foundation for the success of the British in Malaya was due to its institution of a military governor in charge of the over-all situation. Comber described the arrangement as crucial to the counterinsurgency effort of the British.<sup>42</sup> The arrangement provided for the seamless integration of the civil and military aspects of the problem that has previously eluded the operation of Briggs. Invested with both civil and military authority, Templer was able to provide focus and cohesion among all the government instrumentalities on the counterinsurgency effort. Templer would later acknowledge these powers when he remarked:

All I did was to make it [Briggs Plan] worked, which it did on due course....And it happened under my administration because I had the powers and the unfortunate General Briggs had not.<sup>43</sup>

Indeed, in placing Templer as Malaya's High Commissioner, he was able to provide a better alternative of government to the Malaysians than the one offered by the insurgents. As insurgency is basically a competition for government with the use of violence, the appointment of Templer as chief executive of Malaya underscores the need for a military professional that can manage violence while at the same time provide effective governance.

This same arrangement also found success with the US in their own counterinsurgency effort in the Philippines from the period 1899 - 1902. While the conditions were different, the US also employed military governors in their occupation of the Philippines that led them to successfully quell the insurrections. Just like in Malaya, the military governors in the Philippines exercised the civil and military powers that were crucial to success.

### **THE US EXPERIENCE IN THE PHILIPPINES**

The US assumed the occupation of the Philippines from Spain without a concrete plan on how to go about it primarily because of the lack of clear policy guidance from Washington.<sup>44</sup> It was clearer, however, from McKinley's instruction to Major General Wesley Merritt, the overall commander of the expedition, that the US forces in the Philippines were to establish a military government in order to pursue a new political power.<sup>45</sup> The US military government in the Philippines covered the period from August 14, 1898 to July 4, 1901 led by the following: Merritt (August 14 – 29, 1898), Major General Elwell Otis (August 29, 1898 – May 5, 1900) and Major General Arthur MacArthur (May 5, 1900 – July 4, 1901).<sup>46</sup>

The early stages of US occupation in the Philippines were not quite successful in terms of subduing the insurgents. Various reasons were ascribed to this, foremost of which was the initial lack of political sponsorship from Washington on how much force was acceptable in exacting obedience from the Filipinos.<sup>47</sup> Another was the deteriorating troop health and discipline that preoccupied much of Otis' time early in his tenure to the detriment of his primary task of winning the hearts and minds of the Filipinos.<sup>48</sup> This preoccupation was to change soon after the issuance of McKinley's "benevolent assimilation" policy that directed the Army to pursue civic projects much as it would pursue the insurgents.<sup>49</sup>

Upon the issuance of a more definite policy from Washington, Otis then proceeded to organize the government in an effort to accomplish his objectives. As a demonstration of the intent to establish a civil government, Otis disbanded his army's tactical organization in favor of a geography-based organization.<sup>50</sup> Thus, on April 7, 1900, Otis created the North and South Departments that were further subdivided into districts and provincial commands. This move not only accomplished Otis' intent but was also significant to the achievement of coherence to the military effort after they correctly observed that the insurgents were largely operating independently of the national effort.

The powers that were assumed by the Military Governors were extensive, covering the entire expanse of executive, legislative and judicial aspects of governance.<sup>51</sup> These powers would greatly impact the ranks of the insurgents and their supporters. One of these powers was the authority to expel or send in exile undesirable persons. This would impact the ranks of the insurgents such as when Apolinario Mabini, the political brains behind the revolution, and 38 other insurgent leaders were banished to Guam on 1901.<sup>52</sup>

It also helped that the Military Governors exercised a great degree of liberality in the interpretation of the official policy from Washington to fit the pursuit of the regional objectives. An example of this case was when Otis changed some words<sup>53</sup> in the Presidential declaration of the policy on the Philippines to preclude any misinterpretation by the insurgents.<sup>54</sup> This was a significant move by Otis after he observed that there was some misrepresentation by the insurgent leaders to the masses on the meaning of such words as “sovereignty” and “free people.”<sup>55</sup> This early form of strategic communication by Otis was significant in eroding the passion for nationalism by the insurgents and their supporters. Militarily, this liberality also provided the subordinate military leaders significant space to “construct pragmatic pacification policies designed to meet the realities of the guerrilla war in their towns, provinces and districts.”<sup>56</sup>

Another extraordinary power that was exercised by the Military Governors was the authority to enter into local treaty with the local leaders of the district. This was very effective in further isolating the already disparate insurgency movement in the Philippines. An example of the use of this power was the so-called Bates Treaty entered into by Brigadier General John Bates with the Sultan of Sulu.<sup>57</sup> The treaty was successful in forestalling any insurrections in Sulu while accomplishing the objectives the US of establishing authority within the island.

Despite the autonomy and the resulting differences in the strategy taken by the local military commanders, there appeared a consistent set of tools used to secure or enforce US authority among the populace. One was hard tactics such as coercion, concentration camps and travel restrictions. The other was soft tactics such as effective governance, co-opting of indigenous leaders to the government and other social reforms. The latter were the tools

necessary to pursue the “benevolent assimilation” policy of Washington. The marked differences between the harshness of the hard tactics and the civility of the soft tactics were enough to sway the all important support of the population in favor of the US forces.<sup>58</sup>

In summary, the Americans’ counterinsurgency campaign in the Philippines credit its success primarily to the ability to discern the connection between the insurgents and the support infrastructure that were being provided by the population.<sup>59</sup> Once this was known, however, it took the imposition of hard tactics before the soft tactics become attractive to the supporters of the insurgents. Severance of local support to the insurgents through the use of hard tactics coupled with the attractiveness of the soft tactics have resulted in a number of capitulation from the insurgents’ ranks. It would pay that the power to dispense these tactics was vested in one person as it provides seamless transition in juggling the two in pursuit of mission accomplishment.

## **WAY AHEAD FOR BASILAN AND SULU**

Through the years, scholars have propounded various approaches to countering insurgency. Kilcullen differentiated them into two main streams - the classical approach, which dominated the thinking from 1944 to 1982, to the modern thoughts on counterinsurgency that largely looked at the problem in light of globalization.<sup>60</sup> Between these two streams, there appears to be some constants such as the fact that counterinsurgency was a natural reaction of insurgency. It presupposed that counterinsurgency was contingent upon the action of the insurgents and is therefore evolving and dynamic. It also posited that there is no set rule or doctrine that would lead the way on how to counter the insurgency while at the same time advancing the thought that it would require all elements of national

power to overcome it.<sup>61</sup> Another constant was the definition ascribed to “insurgency” which is basically the struggle to control a given political space.

The two case studies have proven the essentiality of unity of command as a key factor in defeating the insurgency. This unity of command was achieved through the institution of Military Governors who integrated the civil and military aspects of the counterinsurgency effort. Unification of these two aspects is crucial to counterinsurgency effort. There is a need to have a single authority that is in-charge of the prosecution of the effort otherwise the effort will be disparate and perhaps conflicting to the advantage of the insurgents. This was the case in Malaya during the early period of its counterinsurgency campaign. The civil and the military effort were often times conflicting thus creating a situation where the government competes with itself among the population.

As has been in the past and with the current Armed Forces of the Philippine’s (AFP) counterinsurgency campaign, (the Internal Peace and Security Plan (IPSP)), it has been understood that counterinsurgency is not only a military affair but instead an approach that requires the whole of government effort.<sup>62</sup> The IPSP puts primacy on governance as a key driver to resolving insurgency, which is not entirely new considering the underlying idea of the civil-military operations. Then again the plan outlined the role of the military as one of support. The two case studies and AFP history have shown this is not enough. Briggs found this and Templer, with his executive powers, corrected this, resulting in the success of the counterinsurgency effort in Malaya. The inherent problem in having a coordinative role is that it cannot force the issue with other branches of government.

Another reason for the institution of military governorship is that the military is predisposed to act in order to accomplish the mission as compared to the elected civilian

executives that are predisposed to act according to their “constituents.” Casting aside the question of legitimacy, this is the fundamental difference between the two spheres that will not help but instead aggravate the problem of countering insurgency in Basilan and Sulu. Technically, even the insurgents are “constituents” of the locally elected leaders. This has been the experience of the US forces in the Philippines, knowing too late that the local community leaders and political infrastructures were in fact supporting the insurgents primarily because of fear of retribution.<sup>63</sup> As has been before, although this is difficult to prove, there are persistent reports that certain elected leaders are supporting the insurgency either freely or otherwise. These persistent reports, however, have stoked official investigation on the matter.<sup>64</sup> As an indicator there has been a documented case of a local Mayor in Sulu who acted as a negotiator to a kidnapping incident with the ASG and was found out to be in league with the kidnappers over the ransom money.<sup>65</sup>

Third, while it can be argued that elected officials aspired to their position in order to “serve” the people, this has been mostly not the case in Basilan and Sulu provinces. The absence or lack of governance in these two provinces is prevalent, leading the Archbishop of Basilan to complain to the Secretary of the Department of Interior and Local Government (DILG) that “it seems that there is no government in this province”.<sup>66</sup> Chronic absenteeism by the elected official has been pointed out as the cause. Tragically, both the Governor of Sulu and the Vice-Governor of Basilan would agree to the observation. Vice Governor Al Rasheed Sakalahul would go on further in quipping that “only goats report to the Municipal Hall” in Basilan.<sup>67</sup> To curb this problem, the President had recently directed military units, the only semblance of national government in these areas, to report regularly on the performance of the elected officials. Incidentally, as people’s confidence with their locally

elected leaders declined, AFP units garnered a high 99% confidence from the populace on their abilities to confront the problem.<sup>68</sup>

Fourth, while counterinsurgency is largely a political war, there is still an element of violence in the problem. As the continuum between governance and use of legitimate force by the counter insurgent is often blurred, problems of authority can arise. This friction will be lessened if a military governor is at the helm of the local government unit, as military commanders should have better understanding of the rules of engagement. Civilian leaders may not necessarily be trained to understand the management of violence and second, military units are not under their authority. Part of the reason for the success of the British and the US forces in their respective counterinsurgency campaigns was that there was continuity and coherence in their use of hard and soft tactics against the insurgents. When used creatively, the difference between the two tactics can become an effective tool in alienating support away from the insurgents. Just as in the classic counterinsurgency strategy of “carrot and stick,” its effectiveness lies on the credibility to deliver either of the two.

There will be political apprehensions to the position just as it was in the case of the British and the US experience. At the outset, the proposition seems to run counter to the democratic ideals that the government promotes. Ironically, the insurgents are also using these same democratic principles as legal shields whenever cornered by military offensives. Historical studies have shown that the form of central government may not be a critical factor in counterinsurgency although it acknowledges the inherent difficulties lying in the counterinsurgency effort in a democracy.<sup>69</sup> The recommendation here, however, covers only local government units to operate under the accepted civil laws, thus negating most political misapprehensions.

There are potential dangers to the proposition. One of the dangers that might arise is the abuse of the vested power. If used indiscriminately these powers have the potential of further legitimizing the grievances of the insurgents. This can be circumvented by the introduction of heavy control measures such as oversight by the highest democratic institutions of the country. Another control measure that can be applied is to limit the imposition time such that its misuse can immediately be corrected.

Another danger is that the proposition might inadvertently be construed as martial law when in fact it is not. This misconception could give rise to numerous minor irritants, e.g. protests, legal counteractions, that could effectively sidelight the government's focus on the counterinsurgency. The position is for military commanders to assume as chief executives of local government units operating under the civil laws. The proposal is not the use of extraordinary powers but the integration of both the civil and military powers. The intent is to bring governance and break the cycle of transactional politics entrenched by the political elites. It will be used as a vehicle to accomplish the objectives of counterinsurgency just as the British and the US did in Malaya and the Philippines, respectively.

## **CONCLUSIONS AND RECOMMENDATIONS**

For decades the Philippines confronted the rebellion problem in Southern Mindanao with dismal results. From the mere legitimate group in the 1970s, the MNLF spawned into two other groups (MILF and ASG) each with different ideology and propensity in the use of violence. The MNLF, on the other hand, remains a considerable threat even after accepting a negotiated settlement with the government.

Insurgency is largely a political war. It is a competition for government. In Basilan and Sulu, these groups continue to grow largely because of the uncoordinated response from

the local government level and/or the lack of effective governance that makes the insurgents even more attractive at the grass root level. The case studies have shown that counterinsurgency is a two-handed response and cannot entirely be solved in a vacuum through the use of violence.

The institution of Military Governors to these areas for a limited period of time will help solve the problem. In instituting such, the Military Governors will be in the position to fully implement the “whole-of-government” intent of the IPSP. Additionally, the solution will also have the effect of truly complementing active police actions against the few remaining hard-core insurgents. It will unify the right hand approach of the government with the left hand approach of the military.

While the appointment of civilian or even retired Military personnel to the position is possible, it would not attain the desired effectiveness as that of having active military personnel. Foremost of this is to prevent the use of the position as a possible springboard to further political ambition or plans. Second, there is inadequate legal mechanism to check possible power misuse should a civilian be appointed to the position to contrast with the already emplaced military law in case of active military personnel. This legal mechanism is critical in the accountability on the part of the appointee.

The best and brightest among the roll of Military personnel should be selected to the position. Foremost of the qualifications (aside from the exceptional military background) that should be sought out is proven integrity, minimum of nine-year assignment to the area under consideration, absence of record of human rights violation and written recommendations from all possible sectors of the area under consideration. Additionally, the prospective candidate's

reputation to the community, character, zeal in accomplishing missions, leadership and judiciousness should be given equal importance in the selection.

Considering the political repercussion and the danger of abuse on the powers, it is essential that safeguards should be emplaced prior to its imposition. First, the period for this military governorship should be limited to only a period of three (3) years to coincide with the local election cycle. This period should be seen as a transition for further reform in the system of governance. Essential during this three-year period is the institution of electoral reform to truly reflect the will of the people and the destruction of the vestiges of transactional politics.

Second, there should be an oversight committee from the national government to oversee the operation of the system. The Secretary of DILG, who has primary jurisdiction on local government affairs, can head this oversight committee that should review, among others, the performance of the Military governors on an annual basis to coincide with the regular performance review of all government units. The oversight committee should draw membership from the clergy, *ulama* and non-governmental organizations that are working on the affected areas. Aside from the obvious function of oversight, the committee should also act as advisory body to the military governors. Third, there will be no imposition of martial law or emergency powers. This is necessary in order to emphasize the fact that the intent will be on governance and not punitive actions. While there will be no imposition of martial law, the designated military governor should be tried in accordance with the Military Code of Justice should he be found guilty of abuse.

While this proposition may be effective in Basilan and Sulu, further study should be conducted on its applicability to other conflict affected areas whose dynamics are markedly

different from the two provinces. It may not have applicability to those areas confronting the communist insurgents that have a relatively developed local government system emplaced. It may also not get the desired results on those conflict affected areas that are physically contiguous to a place where there are no or minimal influence from the insurgents. In these places, the attractiveness of effective governance is more pronounced and proximate enough for the affected people to discern and choose.

Insurgency is mainly a political problem that requires a political solution. It has been often said that key ingredient to the solution is the support of the people. Support that cannot be courted by mere promises nor violence but by tangible effective governance that will help them make an informed choice on how to live their respective future.

## ENDNOTES

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Agreement see [http://www.seasite.niu.edu/Tagalog/Modules/Modules/MuslimMindanao/tripoli\\_agreement.htm](http://www.seasite.niu.edu/Tagalog/Modules/Modules/MuslimMindanao/tripoli_agreement.htm) and a sidelight discussion on how it came about in <http://www.mb.com.ph/articles/286249/the-tripoli-agreement>.

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20. The MOA-AD was scheduled for signing on August 5, 2008 between the government and MILF representatives in Kuala Lumpur, Malaysia but was staved off after some political leaders, mostly Christians, questioned its validity to the Supreme Court of the Philippines. The Supreme Court acceded to its unconstitutionality and issued a Temporary Restraining Order that prevented the signing of the document. The MOA-AD is radically different approach to solve the issue of Muslim rebellion. Based on a paradigm of "earned sovereignty", it would have recognized certain rights to the Muslims including the most contentious which is the claim for ancestral rights over some lands in Mindanao. For a

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General Officer Commanding Malaya, Air Officer Commanding Malaya, Commissioner of Police, Secretary of Defence and when required, a Navy Liaison Officer.

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45. Linn, *The Philippine War*, 5 – 6.

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48. Linn, *The Philippine War*, 31 – 2.

49. Linn, *The Philippine War*, 30 – 1. The so called "benevolent assimilation" policy was issued by Pres William McKinley on December 21, 1898 that acknowledges US claim to the Philippines and the designation of the US Army as the primary instrument to effect this lawful rule. This document will soon sparked some controversy in the Philippines primarily due to the corrections made by Maj Gen Otis on some of the text on the fear that it might be used by the revolutionaries to ferment discontent.

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53. Otis made the following changes: he removed the words "U.S. sovereignty;" substituted "'free people" for "supremacy of the United States;" and deleted the phrase "to exercise future domination." He would later explain that he did this so in order to stress the benevolence purpose of the US and to prevent offending the sensibilities of the Filipinos after noting that some ignorant Filipinos have attached different meanings to the words.

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